

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

LEAGUE OF CONSERVATION VOTERS <i>et al.</i> ,)	Civil No. 3:17-cv-00101-SLG
<i>Plaintiffs,</i>)	
V,)	
DONALD J. TRUMP <i>et al.</i> ,)	
<i>Defendants,</i>)	
AMERICAN PETROLEUM INSTITUTE and STATE OF ALASKA,)	
<i>Intervenor-Defendants.</i>)	

DECLARATION OF KILIII YUYAN

I, Kiliii Yuyan, declare as follows:

1. I am currently a member of Defenders of Wildlife.
2. I have lived in the Pacific Northwest for 12 years and am a frequent visitor to the Arctic. For many years, I have spent the majority of my time above the Arctic Circle, as my specialized work takes place in this region.
3. As an indigenous photographer and filmmaker (Nanai), my work is dedicated to both documenting and conserving Native cultures and natural histories. I use photography to tell the stories of the voiceless—people, wilderness, and the changing climate.
4. I have specifically worked alongside Iñupiaq whalers in the Arctic, Yup'ik caribou hunters in NW Alaska, and Inari Sami reindeer-herders in Finland as a photographer and

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indigenous advocate. In addition, I am also a traditional kayak-builder, and frequently teach Arctic indigenous youth the traditional skills of kayak-building.

5. My work has been awarded by Communication Arts, PDN, and Sony World Photo. My clients have included National Geographic Traveler, The Nature Conservancy and Outside Magazine.

6. I am a descendant of the Han Chinese and the indigenous Nanai/Hezhe people of Siberia. I grew up in the United States at a distance from my culture's traditions, but remained connected through my Nanai grandmother. Her stories fueled a desire to reclaim my indigenous identity by learning to live close to the natural world.

7. To that end, I have spent the last 15 years exploring the traditional skills of Nanai and other Native cultures, including wilderness subsistence and traditional kayak-building. It has led me to documenting the stories of modern indigenous peoples around the world, from urban communities to remote villages in the Arctic. Those communities have shown me what it is to see the land through indigenous eyes.

8. In that time, I have taken 11 trips to the Arctic, both European and North American, and intend to continue living and working in this region for years to come. My relationships with the people and communities of the Arctic are invaluable both personally and professionally.

9. In my work as a documentary photographer, I spend my time boating, kayaking, hiking, and observing the interactions of the land, water, wildlife, and the people who depend on them. My work requires me to immerse myself in the culture of the people living in the farthest reaches of the Arctic. My work has taken me to the North Slope of Alaska, the Canadian Arctic, Norway, Sweden and Finland's Lapland regions, as well as North Iceland.

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10. My recent award-winning film project, *Tuvaq – An Inupiat Spring on the Sea Ice*, tells the story of the Iñupiaq people, who for 2000 years have hunted from edge of the sea ice. It tells a story about both indigenous whaling and the tragedy of climate change in the Arctic.

11. Bowhead whales were once thought to be a threatened species due to excessive international whaling in the 1800s. However, by the 1980s, Iñupiat whalers had proven that their own understanding of the bowhead whale population was far more accurate than scientists once believed. Today, Iñupiaq communities manage hunting quotas of bowhead whales themselves. Unlike whaling in much of the world, the subsistence practices of the Iñupiaq people maintain the bowhead whale as an unthreatened species — just as they have done for thousands of years.

12. Bowhead whaling is a cultural cornerstone of Iñupiaq identity and a primary source of food on the Arctic Slope, where the cost of living is nearly three times that of mainland US. I have participated in the Iñupiaq spring whaling for 8 months over four years, 2015-2018, lived and breathed as a member of the whaling crew, slept on the sea ice and shared polar bear guard duty. As an indigenous person, I wanted to understand and document their subsistence life in the Arctic, where the danger of cultural death is just as imminent as an attack from a polar bear. In 2017, the spring whaling by traditional boat, umiaq, has resulted in zero landed whales due to ice conditions. It may be the first year on record this has ever happened.

13. In addition to the motion picture, I have additionally worked on a project entitled *People of the Whale* near the village of Utqiagvik, on the North Slope of Alaska, intertwined with the film *Tuvaq*. This project also documents indigenous subsistence hunting of whales, seals, and walrus and the importance of these species to their way of life. My work illustrates the challenges of maintaining traditional ways in an era of climate change and diminishing sea ice.

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14. Polar bears are an ever-present danger to whalers when out on the ice. Attracted to the scent of fresh blubber, they prowl the edges of camp but are usually scared off by rifle shots and noisemakers. During whale butchering many people stand guard against the bears circling nearby and keep children close to camp. In a single day during this time, we saw thirteen polar bears. One day an eight foot bear entered the whaling camp starving and desperate just 15 yards away from where I and members of the crew were sitting. After it was shot in self-defense, we found the bear to have been starving, a likely result of the declining sea ice conditions making it difficult for them to hunt.

15. I photograph polar bears, walruses, snowy owls, bowhead and beluga whales, and many other species unique to the Arctic. I also shoot their changing habitat. What I see concerns me greatly. In 2016, the average surface air temperature in the Arctic was the highest ever recorded. Sea ice is disappearing, and nowhere is that more evident than on a whaling crew. Every Iñupiat hunter I have spoken to understands the changes in the ice conditions, and many have lamented to me that the death of their traditional culture is coming along with the demise of the sea ice.

16. As our modern needs make increasing demands on the land and its resources, indigenous knowledge is ever more important to understanding ecology. These communities have balanced competing human needs with the preservation of wildlife for thousands of years. There's an urgency to cultural collaboration—each day, indigenous cultures come under threat from loss of language, identity, land, and hunting rights. As we lose their stories, we lose the knowledge that gives all human beings a chance to shape a future on this amazing planet.

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17. Aside from documentary photography work, I am additionally a public speaker and guest educator in indigenous communities. I have also spoken at lectured and spoken at public events in Seattle, Portland and Milwaukee about indigenous issues.

18. I was very pleased when I learned that President Obama had withdrawn much of the Arctic Ocean from the prospect of oil and gas leasing. This sensitive ecological area cannot survive the pressures of oil exploration. The Iñupiat talk of disturbed marine mammal migration patterns and many fear that drilling would greatly affect hunting across the Chukchi and Beaufort Seas. Similarly, the Sami of Lapland worry that spills would destroy their salmon runs.

19. These areas are essential for wildlife and native people and that is why I was so dismayed by President Trump's decision to issue an executive order that attempts to reverse the Arctic and Atlantic Ocean withdrawals. Oil and gas development will destroy the ecology and culture of this region.

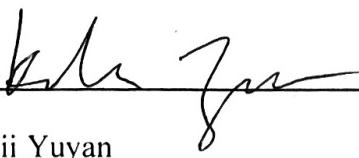
20. Pre-lease activities, seismic testing, and exploratory drilling will disturb and injure marine life and put at risk traditional whaling and other practices.

21. The risk of a spill – which would be nearly impossible to clean up in that difficult environment – would be ever present and disastrous if it did happen. Black carbon emitted from oil operations will accelerate loss of sea ice. For those that live outside of the Arctic, I cannot underestimate the importance of the inland ice and sea ice to people living there. Inland ice conditions are the fall-spring road systems in regions that have no other transportation. The sea ice conditions absolutely determine the success or failure of subsistence hunting, and whether parents can provide high-quality food to their children. The melting permafrost is already destroying the majority of peoples' ice cellars in the Arctic, and switching to freezers to the Arctic is both absurd and impractical, from energy usage and capacity to reliability.

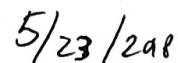
22. I am also concerned about climate change and believe we must transition swiftly to alternative energy. Doubling down on fossil fuels is the wrong approach, especially in a region like this where the impacts of oil and gas drilling could be catastrophic for marine life and native cultures.

23. My concerns will be addressed if this court were to determine that President Trump acted without legal authority and the ban on oil and gas drilling in the Arctic were to remain in place. If offshore drilling begins and in the catastrophic event of a spill, it would affect my personal interests, as marine life would be impacted greatly, and many indigenous subsistence practices would disappear. Over time, the cultures of Native peoples would also lose identity and tradition, and that is the thing that I fear the most. The cultural diversity of the Arctic is paramount to my work and interests.

I declare under penalty of perjury that the foregoing is true and correct.



Kili Yuyan



Date